

## Message Text

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ORIGIN TRSE-00

INFO OCT-01 EA-06 ISO-00 AID-05 CIAE-00 COME-00 EB-07

FRB-03 INR-07 NSAE-00 USIA-06 XMB-02 OPIC-03 SP-02

CIEP-01 LAB-04 SIL-01 OMB-01 L-03 /052 R

DRAFTED BY TREAS:JWALLAR:JH

APPROVED BY EB/OT/STA:WCLARK, JR.

EB/OT/STA:ECONSTABLE

EA/PHL:RWILLNER

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P R 011855Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY MANILA PRIORITY

INFO AMCONSUL HONG KONG

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E.O. 11652:

-

TAGS: ETRD, RP

SUBJECT:COUNTERVAILING DUTIES: CERAMIC WALL TILE

REF: STATE 118004 MANILA 10020

1. PARA 1A REF A DESCRIBES ESTABLISHED PROCEDURES IN COUNTERVAILING DUTY INQUIRIES. DEPARTMENT APPRECIATES EMBASSY'S CONCERN OVER COMPLEXITY OF PHILIPPINE TAX PROGRAM. MANY COUNTERVAILING DUTY INVESTIGATIONS ARE EXTREMELY COMPLICATED AND SUPPLEMENTAL COMMENTS ON ACCURACY OF PHILIPPINE SUBMISSION BY EMBASSY MAY BE HELPFUL IN CASE ANALYSIS. RAPID TRANSMITTAL OF INFORMATION TO TREASURY PERMITS EARLY ANALYSIS OF DATA AND OPPORTUNITY FOR CLARIFICATION, IF REQUIRED, IN ACCORDANCE WITH ESTABLISHED PRINCIPLES IN ADMINISTRATION OF LAW.

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2. STATUTORY RESPONSIBILITY FOR INVESTIGATION AND

DETERMINATIONS REGARDING COUNTERVAILING DUTIES RESTS WITH SECRETARY OF TREASURY (TRADE ACT, SECTION 331). CUSTOMS REPORTS ARE PREPARED UNDER HIS DIRECTION. REPORT IN THIS CASE HAS BEEN FORWARDED TO CUSTOMS HEADQUARTERS IN WASHINGTON UNDER STANDARD CUSTOMS PROCEDURE. A COPY WILL

BE POUCHED TO EMBASSY, AND DEPARTMENT, THROUGH LIAISON WITH RESPONSIBLE OFFICIALS IN TREASURY, WILL BRING TO LATTER'S ATTENTION ANY PARTICULAR FACTUAL POINTS THAT EMBASSY WISHES TO EMPHASIZE.

3. ON SPECIFIC QUESTIONS RAISED BY EMBASSY, THE FACT THAT INVESTMENT INCENTIVES ARE NOT DESIGNED FOR EXPORT PROMOTION MAY OR NOT INFLUENCE CONCLUSION. THE KEY QUESTION IS NOT INTENT, BUT EFFECT ON EXPORTS, AND DATA REQUESTED BY TREASURY ARE SOUGHT TO ALLOW SUCH EFFECT TO BE MEASURED. EMBASSY MAY NOTE THAT, AMONG OTHER PROGRAMS, INVESTIGATION IS CONCERNED WITH PROVISIONS OF SECTION 9 OF INVESTMENT INCENTIVES ACT, ENTITLED

"SPECIFIC EXPORT INCENTIVES FOR REGISTERED ENTERPRISES" WHICH IS MORE DIRECTED THAN GENERAL INVESTMENT PROVISIONS OF STATUTE.

4. CONCLUSIONS DRAWN FROM CURRENT INQUIRY WILL APPLY ONLY TO CERAMIC WALL TILE SINCE FACTUAL DATA SUBMITTED RELATES ONLY TO EXPERIENCE OF THAT SECTOR UNDER THE

INCENTIVES ACT. WE WILL KEEP EMBASSY INFORMED. INGERSOLL

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CERAMICS, TRADE LAW, EXPORTS, COUNTERVAILING DUTIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 01 AUG 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Drafter:** JWALLAR:JH  
**Enclosure:** n/a  
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**Office:** ORIGIN TRSE  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Page Count:** 2  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** COUNTERVAILING DUTIES: CERAMIC WALL TILE  
**TAGS:** ETRD, RP, US  
**To:** MANILA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006